

# **TOWN OF ROCKLAND**

## **Board of Selectmen**

Town Hall  
242 Union Street  
Rockland, Massachusetts 02370

**MINUTES OF THE BOARD OF SELECTMEN'S OPEN SESSION held on  
Tuesday, February 22, 2005 at 7:00 PM in the H. Bernard Monahan Memorial Room,  
Town Hall, 242 Union Street, Rockland, Massachusetts 02370.**

**ATTENDANCE: Chairman John R. Llewellyn, Vice-Chairman Lawrence J. Chaffee,  
Larry J. Ryan, Louis U. Valanzola and Keven Pratt**

Veteran's Agent Tony Materna led everyone in reciting the Pledge of Allegiance.

Eagles Presentation – Ed Laughlin, President of Rockland Eagles asked Ed Borges and Beverly Brown to come forward. The Rockland Memorial Library Foundation was presented a check for \$5,000.00. Beverly Brown – Although I will be in charge of spending the money, I want Kelli O'Brien-McKinnon to receive the check for the foundation. The Council on Aging (Meals on Wheels) was presented a check for \$2,500.00 and another check for the Council on Aging for \$2,500.00 to spend as needed. Ed Borges accepted these checks and thanked the Eagles for their support.

### **A. MINUTES: NONE**

### **B. UNFINISHED BUSINESS**

#### **1. SSTTDC – Dr. Rogers and Mr. John Ward**

Mr. Ward introduced new Director Terry Fancher. On March 15<sup>th</sup> at 8:00 AM The Rockland Chamber of Commerce is sponsoring a breakfast meeting at the Radisson Hotel – Lennar Partners will be putting on a presentation of the reuse plan. If you are interested and have the time, please come...admission is \$15.00. The goal of the SSTTDC has been to create a redevelopment plan that will benefit the three towns and the region. We want to provide jobs, housing and recreation areas that people can utilize. At the same time we want to generate positive tax revenues that can be divided among the three towns. Accomplishing this task has required a lot of hard work. (Mr. Ward gave an overview of what has been accomplished so far.) Currently we are seeking to present a revised reuse plan in May-June depending on what time frames permit. Once the towns approve the new plans the review process by Federal and State regulators will begin and that will take approximately 18-24 months. Mr. Ward wanted to thank John Rogers for working tirelessly on this project. Dr. Rogers – (1) Spoke on meetings in review of the Master Plan past, present and future. (2) Recommended changes in Master Plan – List was given to BOS of the number of areas up to this point that we feel they should consider changing. Dr. Rogers went through this list and explained each item.

## C. UNFINISHED BUSINESS (Continued)

### 1. SSTTDC – Dr. Rogers and Mr. John Ward

David Hall (Project Director – LNR Property Corporation) - Changes to the Master Plan will be unveiled in less than two weeks. I think you will find that we have been listening. There have been many requested changes and most of them are quite acceptable. Mr. Hall spoke on the new recreation center that they are excited about. Access issues were also discussed. Water is an important issue. The plan cannot proceed unless we find water. The same issue applies to traffic. It cannot proceed unless the traffic issues are mitigated and managed properly. Mr. Llewellyn read a letter from the Department of Navy addressed to Mr. John Ward, Chairman of the Board of SSTTDC. It stated ***“if a reuse plan cannot be ratified by early this summer, the Navy will have to consider disposal by other means”***. The BOS agreed that it’s important that we come up with a mitigation plan that is suitable to all three towns...without that, this plan is not going to go forward. Their concerns were also aired. Timeline for the record: If we get all three town approvals this summer (1) the MEPA State regulatory process will take 12-18 months; (2) you will wipe out the rest of 2005 & 2006 with additional permitting (still no construction except the amenities that Dr. Rogers spoke of); (3) after that you’re into the beginning of 2007 when we can commence the infrastructure improvements (streets, roads, utilities, etc.) that will take a year and a half; (4) it will be the middle of 2008 when the commencement of vertical construction can begin. We have allowed for three 4-year phases of vertical build-out...it will be 2018-2020 before the project will be complete. We have allowed for 12 years. Audience questions and concerns were addressed.

### 2. Class II License – Southeastern Auto

Mr. Llewellyn read specific conditions from ZBA. Maximum number of cars for sale or unregistered at any given time is limited to 10. Mr. Speranzo asked if after they have conformed with all the zoning regulations for a year could they come back and ask to have the number of cars allowed reconsidered. They are willing to give 10 cars a “shot” for a year.

**Motion: Mr. Chaffee to approve Class II – Southeastern Auto**

**Second: Mr. Valanzola**

**Vote: 5-0**

### 3. Personnel By-Law: Mr. Valanzola

Mr. Valanzola – Explained why we need the Personnel By-Law and the changes that were made in it. He thanked everyone who worked on it. Mr. Ryan expressed his concern that current employees in the Town Hall get the same benefits that they have accrued over the years. The new hires would come under the new system. He suggested that they take a hard look at what those employees are getting now before we adopt a new by-law. I’m not saying it’s not a good document, I’m just saying we need to take a look at it. Mr. Plante- as far as specific benefits like sick time buy-back, I think we have to make a determination what a reasonable number is but not to strip them of what they have already earned. We will have to come up with a number that is workable for those people and grandfather

### 3. Personnel By-Law: Mr. Valanzola (Continued)

any new employees (as we did in the contracts) that come in after July 1. One of the things you have to be very careful with is consistency. You have to give everyone a fair shake and the same deal. If you find yourself in front of a judge on an employment issue and you haven't been consistent – then you have a problem. This Personnel By-Law is in effect an Employee Handbook. These people we are talking about actually do have the right to organize themselves. This Personnel By-Law has to be approved by Town Meeting. My suggestion is that we need to get an article submitted on the warrant (by March 7<sup>th</sup>) we should put a shell article in for the approval. The actual document will be an addendum to the warrant so we will still have some time to continue to clean this up. BOS discussed different sections of the Personnel By-Law they had questions on.

**Motion: Mr. Pratt to have shell article ready for warrant by March 7<sup>th</sup>**

**Second: Mr. Chaffee**

**Vote: 5-0**

### C. NEW BUSINESS

#### 1. Public Hearing – CDBG Mini Entitlement

**Motion: Mr. Chaffee to open hearing**

**Second: Mr. Ryan**

**Vote: 5-0**

Wayne Darragh spoke regarding the grant making process. Handouts were distributed. The Department of Housing and Community Development has set aside \$100,000 to Rockland to undertake some pre-grant planning work. This will put itself in a position by next year to have plans, studies and to identify some needs and priorities for the Town that are eligible for CDBG funding. Then they will go back to the DHCD next year with the applications for funding to undertake some of those projects that have been identified. Projects need to meet certain thresholds for funding. The first threshold is that it has to be on the list of eligible activities. The second part of the threshold is that the activity has to meet the “national objective”. There are three national objectives: (1) providing assistance to low and moderate income individuals (2) aid in the prevention of slums and blight; or (3) meet a critical community need. The grant cycle that is outlined in the application is a designated 18 month period starting July 1, 2005 through December of 2006. We would hope to get through all the preliminary paperwork, etc., and would get to the projects sometime in late fall. BOS asked questions on blight areas, community center, loan repayments and rebuilding or rehabbing buildings. The community development strategy is something that goes beyond the realm of the grant making process. It is basically a process by which we take all the different planning documents that the Town has over the past period of time and basically distill down from them the goals and objectives that have been stated in the Town's master plan (open space, recreation plan and community development plan). Once you have identified those, you can then go in and identify the goals and objectives that can be used through the use of CDBG funds. It's meant to be a list of the issues that are important to the Town and represent accomplishments that the Town would like to make. Mr. Chaffee questioned #3 of the national objectives – (meet

a critical community need) thinking of the community center and the ball field. Mr. Darragh – the definition of urgent (critical) is in the eye of the beholder. By need it has to be something that has arisen in the last 18 months. Before you can submit anything under that national objective, you have to meet with the DHCD and go over the issues with them related to that project. The motion we are looking for from the BOS would be to authorize the chairman or elective officials to execute certain certifications that are part of the grant application process and authorize the CDBG to submit this application on the Town's behalf.

**Motion: Mr. Ryan to close hearing**

**Second: Mr. Pratt**

**Vote: 5-0**

**Motion: Mr. Ryan to authorize the Chairman or Elected Officials to execute the documents to apply for the grant.**

**Second: Mr. Pratt**

**Vote: 5-0**

2. Performance Evaluation Form: Mr. Chaffee

Mr. Chaffee had a discussion with Mr. Plante about a year ago regarding an Employment Evaluation Form for the Town Administrator. Mr. Plante's contract is up next month and, with that in mind, thought we should come up with some method of evaluation. Mr. Chaffee described the evaluation report. He wanted this on the agenda for the BOS to look over and if it was acceptable have each member complete their evaluation on Mr. Plante and put this towards consideration of a new contract. Mr. Llewellyn complimented Mr. Chaffee on this draft evaluation. Mr. Pratt agreed and thought all employees should be reviewed on an annual basis. He would also like Mr. Plante to complete one on himself so we see how he feels where he is. Mr. Ryan – spoke on what a difficult job Town Administrator is. Mr. Valanzola thinks this document is an excellent idea. It will let the employee know where his strengths and weaknesses are. He also thinks an area should be left at the bottom for an "employee response" section. We should review everyone on an annual basis. Mr. Chaffee asked that everyone has their evaluations done by March 7<sup>th</sup> and we will present this to the board.

**Motion: Mr. Chaffee to have all evaluations back on Mr. Plante by March 7<sup>th</sup>**

**Second: Mr. Pratt**

**Vote: 5-0**

3. Habitat for Humanity – Mr. John Phillips

Mr. Phillips reviewed the property on Summer Street looking for a piece of land for the Habitat for Humanity. He found that because of the stream it would not be a viable property. He is hoping that the Town could assist them if a Town property became available. Mr. Llewellyn – When we mentioned the property on Summer Street Mr. Ryan thought that stream would be a problem. The house you built up on Centre Ave. was a great success. Certainly the BOS supports your organization and if you come up with another location we would be happy to work with you. Mr. Ryan suggested a tax title property he knew of and suggested that he see the Treasurer. He complimented the

Habitat for Humanity on their work. Mr. Valanzola also noticed that they have an envelope in their packet for donations. If anyone would like to give they can contact Mr. Plante. BOS agreed that Habitat for Humanity does a great service to the community.

4. Rockland Youth Football Toll Booth Request – Mr. Ed Kimball

Mr. Llewellyn read a letter from Mr. Kimball regarding his request for the Rockland Youth Football Toll Booth. Chief Donovan could not be present this evening but sent a letter stating that we had agreed not to approve any more Toll Booths. We had agreed to keep it limited to the Special Ed and SSVTHS. There have been several other groups in Town who have requested Toll Booth in the past that have been denied. Chief Donovan would like to go on record as being opposed to any additional Toll Booths no matter who or what they are for. The Police Department cannot continue to provide assistance to these organizations and there is always a problem with safety and *many many complaints* from the motoring public.

Mr. Kimball spoke on other fund raisers they had thought of (golf & Texas Hold'em). What we are trying to do is have the Toll Booth and bring awareness to the Rockland Youth Football and the condition of the field. We have looked into grants but they aren't in place for items that are meant to be taken care of by the Town. He didn't understand why the Police Department couldn't give up a Saturday (even if we paid them) to have a fund raiser for football. Mr. Llewellyn explained that it had nothing whatsoever to do with Rockland Youth Football. When Rockland has toll booths the Police Station phones ring off the hook with complaints from motorists. It was voted years ago not to add additional toll booths for fundraisers; no matter what the organization was. Mr. Ryan said that he recently attended a Texas Hold'em fundraiser - 140 people showed up and they made \$15,000.00. I think this is a really good fundraiser. Mr. Kimball accused the BOS of not doing their jobs in taking care of the fields. If you can't do your job why are you going to shut us down from having a fundraiser to make up for what you guys can't do. Mr. Ryan told Mr. Kimball that he was way off base. Mr. Kimball wanted to know as a board what was their responsibility to the Town? What do you suggest if you don't take care of the youth in Town? What the Town has done for the youth and sports was defended by the BOS. Mr. Llewellyn – Don't come before us and suggest that it's our fault because we don't have the funds; let's not make this controversial. Suggestions were given by the BOS as to different types of fundraisers that Rockland Youth Football could try. Mr. Chaffee gave a history of the toll booths in Rockland. He was offended by Mr. Kimball's comments. We need people in Town, like yourself, who are concerned with the youth and sports. Questions regarding the carnival were brought up. Mr. Ryan mentioned that the A.W. Perry project was donating money to the Park Department. Mr. Kimball did not believe that to be true. Who approves the budgets? Mr. Pratt explained how Town Meeting votes and the role the Finance Committee played in budgets in the Town. He also explained that the Park and Highway Departments are elected officials and we do not have control over their budgets. Mr. Kimball – What you're saying then is if the Park Department chose to close because they have lack of funding you folks in Town Hall would not field any phone calls from irate parents? Is that what you are saying? Mr. Llewellyn –

He didn't say that at all. Mr. Ryan told Mr. Kimball that he was a very poor spokesman for his group. Mr. Kimball apologized if he offended anyone but said that someone has to speak for these kids and he doesn't know if it's his responsibility to do that or not. A toll booth is the least burdensome for us to do to have a fundraiser. To have golf tournaments or Texas Hold'em is a lot of preparation. We are passionate about this, I played on this field when I was a child. I'm sorry that it came out this way but maybe this is the only way that we can make you aware that the fields need to be done in Town. I've been to the Park Department meetings and they shrug and say what do you want us to do? There is no money. We are going to take it in our own hands to repair it unless the Town steps forward and does something. Mr. Henderson suggested that he does a petition article for the warrant at Town Meeting and explained the procedure to do this. Mr. Kimball – Do we have the blessing of the BOS to move forward on this project? BOS – Your asking us if a group of volunteers with private funding is going to go forward and improve the fields in this Town has the blessing of the BOS? “Without a doubt. Of Course....GOD BLESS YOU”.

**Motion: Mr. Ryan to deny Rockland Youth Football's Toll Booth Request**

**Second: Mr. Chaffee**

**Vote: 5-0**

Mr. Llewellyn – Please take avenue #2 and we will support it.

5. Rockland Place Sale – Connolly & Partners, LLC

Mr. Llewellyn read a letter from William M. Connolly. Their plan offers the Town of Rockland an opportunity for converting Rockland Place from a liability to an asset for the Town. They will create a low-income housing tax credit partnership to acquire Rockland Place. The property will receive \$40,000 of hard construction rehab dollars per unit. An application will be submitted on 2/17/05 to HDCD requesting 9% Federal Tax credits and various other soft loans and grants. When tax credits are granted, the property will be designated as tax credit affordable in perpetuity. As part of the Governor's sustainable development/smart growth program the site will run a minibus from Rockland Place (with stops at both RHA elderly sites) to the Abington Commuter Rail Station for two hours in the morning and two hours in the afternoon. Additionally (until there is a supermarket in Rockland) during both the morning and evening commuter runs the shuttle will have two drop-offs and pick-ups at the Super Stop & Shop in Abington. They are asking us to send a letter of support to Jane Gumble of the Department of Housing and Community Development. Right now there are 40 vacant units down there and they do not having the funding to redo those units and, therefore, cannot rent them. They seem to be going in a downward spiral and down the road could become bankrupt. Mr. Plante – To clarify: Rockland Housing Authority would actually be a limited partner in this. No cost to the Town and the Rockland Housing Authority will have some say over what is going on. This works out well for the Town. Basically what they are asking is that the BOS give the

Chairman permission to execute a letter in support of this project. Mr. Llewellyn read a draft support letter.

**Motion: Mr. Ryan to authorize the Chairman to execute a letter of support**

**Second: Mr. Chaffee**

**Vote: 5-0**

#### **D. TOWN ADMINISTRATORS REPORT**

Mr. Plante received a call from the Governor's Office regarding legislation that was supposed to be past last year. None of the five made it through. You authorized us to go through with four of those. On the fifth which was relative to the 30 day waiting period for the posting of the warrants, the Governor's office wanted the vote of the BOS to support that request. The bill had gone through the Senate (everything was good to go), it got all the way through the House except for it had gone to 3<sup>rd</sup> reading and that was as far as it got. Then the legislature adjourned for the year. Now we are back to square one. We need to get that done a.s.a.p.

**Motion: Mr. Ryan to support the legislation**

**Second: Mr. Pratt**

**Vote: 5-0**

We did receive word from the Federal Emergency Management Agency (FEMA) that there will be a reimbursement program relative to the big snow storm. Mr. Bowles will be attending the meeting to get all the particulars. Right now I cannot tell you how much money we are going to get. As I understand we are way way over on snow and ice this year.

Reminder that the warrant for the Special and the Annual Town meeting closes on March 7<sup>th</sup> at 4:30PM....if you don't have it in by then too bad.

#### **E. CORRESPONDENCE**

Mr. Llewellyn read the following correspondence: Letter from Barbara Umbrianna thanking the Rockland Police Department for their support during the recent fire at their house.

Boy Scout Troop 57 and the Dupont Family cordially invite you to attend an Eagle Scout Court of Honor...honoring Jonathan Joseph Dupont on Sunday April 10, at 1:00 PM at the Abington VFW Hall, 30 Central Street, Abington. RSVP 781-878-8958 by March 15, 2005.

Reminder: Vietnam Veterans Day 2005 will be held April 3<sup>rd</sup> at 1:00PM at the VFW Hall, 22 Church Street. This is an open invitation to all those who care for and are thankful for the freedoms that we enjoy due to the efforts of all veterans who served this country in our time of need.

The Rogers Middle School Building Committee is inviting the BOS and all committees to an Open House at the RMS on Wednesday, March 2<sup>nd</sup> at 6:30PM. Members of the committee will be on hand to update you on what has been accomplished to date. A brief meeting will be accompanied by a tour of the school.

Letter from concerned mother in the Town of Rockland thanking the Police Department for helping having her daughter apprehended because of a drug addiction. Right now her daughter is safe and getting help. She wants the Police Department to keep up the great work on fighting drugs for these young people. Mr. Llewellyn – this was a very interesting letter as she, as well as we, realize the fact that the drug problem in Rockland is at epidemic proportions right now.

## **F. OPEN FORUM**

Mr. Chaffee – Saturday night the 26<sup>th</sup> there will be a Wrestling Show at the Teen Center. It is put on by the World Wrestling Association. Hopefully we will have a good turnout. The Show was originally scheduled in January and was snowed out....they are honoring the January tickets for the February show.

Mr. Ryan – Congratulations to the Banner on their two year anniversary. There was good food and spirits were good also. Representative Nyman was there to present them with a Declaration from the State House. Thank you for taking the Hotel Thomas and making it such a lovely place to visit.

Mr. Llewellyn – I did attend the last Wrestling event although I'm not a big wrestling fan but they had a great show and it is a fundraising event so please come out and support them.

Mr. Llewellyn gave his condolences to the Buiel family. Larry has been a police officer for twenty-five years in Rockland. His father passed away and they are having services tomorrow at Magoun-Biggins Funeral Home.

Mr. Valanzola – Questioned the amount we are over on the snow removal budget and asked Mr. Plante to get a number on that. Reminded people that elections are coming up in April and Town Meeting is in May. It's up to you people to get out there and vote. If you are not registered you still have a couple of weeks. It's everyone's responsibility. Hopefully we will get a good turnout.

Mr. Pratt – Gave his congratulations to Jonathan Joseph Dupont from Troop 57 on becoming an Eagle Scout. That is a lot of work and he deserves a lot of credit.

Mr. Henderson – Applauded the Personnel By-Law and he said those who have benefits should be grandfathered in. It isn't fair to chop off what they have already earned. New hires are a different story. He also believes they should have CORI checks on everyone. It costs a total of 74 cents; 37 cents to send and 37 cents for a stamped self-addressed envelope.



Mr. McGee – Complaint against ZBA. He delivered packets to the Selectmen for their review. Mr. Llewellyn warned Mr. McGee that he was getting off track. If he wants to come up here and talk about his business he can. However, to accuse individuals when they are not here to defend themselves is not going to happen. Mr. McGee wants the Cease and Desist taken off his garage.

**Motion: Mr. Chaffee to adjourn at 10:20PM**

**Second: Mr. Pratt**

**Vote: 5-0 Mr. Ryan – yes, Mr. Valanzola – yes, Mr. Chaffee – yes, Mr. Pratt – yes  
and Mr. Llewellyn - yes**

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**LAWRENCE J. CHAFFEE  
VICE-CHAIRMAN**

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**BRADLEY A. PLANTE  
TOWN ADMINISTRATOR**